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May 3, 2023

VIA E-MAIL AND ELECTRONIC COURT FILING

Hon. Chief Judge Martin Glenn
United States Bankruptcy Court
Southern District of New York
1 Bowling Green
New York, New York 10004

Re: *Rhodium Enters., Inc. v. Celsius Mining LLC*, Adv. Proc. No. 23-01101 (MG) (the
“Adversary Proceeding”) (related to *In re Celsius Network LLC*, No. 22-10964 (MG))

Dear Chief Judge Glenn:

We write on behalf of Defendant Celsius Mining LLC (“Celsius”) and Plaintiff Rhodium Enterprises, Inc. (“Rhodium,” and with Celsius, the “Parties”) concerning the above-captioned Adversary Proceeding.

In accordance with the Court’s directive during the case management conference on May 2, 2023, the Parties have reached an agreement with respect to a draft proposed Case Management and Scheduling Order (“Proposed CMO”), which is attached hereto as Exhibit A for the Court’s consideration. The Parties agreed to reduce the time for expert discovery from 75 days to 45 days, as discussed during the conference. Please note additionally that the Proposed CMO includes the parties’ agreement to (i) grant leave to the Official Committee of Unsecured Creditors (the “UCC”) to intervene as a defendant intervenor (*see* ¶ 14) and (ii) provide for expedited letter briefs in the event a discovery dispute cannot be resolved through an initial Court conference, unless the Court orders otherwise (*see* ¶ 11).

The Parties and the UCC have additionally agreed on a proposed Confidentiality Agreement and Stipulated Protective Order, which is consistent in form with the Confidentiality Agreement and Stipulated Protective Order entered in the *Celsius Network Limited et al. v. Jason Stone et al.* adversary proceeding and is attached hereto as Exhibit B for the Court’s consideration.



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The Parties and the UCC respectfully request that the Court enter the attached proposed Case Management and Scheduling Order and Confidentiality Agreement and Stipulated Protective Order.

Respectfully Submitted,

/s/ Mitchell P. Hurley
Mitchell P. Hurley

CC: Dana Berkowitz (counsel for Plaintiff)
Samuel Hershey (counsel for the UCC)